

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 12.10.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.19660 of 2022

Rajakokila

... Petitioner

Vs

1.The District Collector,
Collector Office,
Sivagangai District-630 562

2.The Regional Director,
National Highway Authority of India,
Madurai.

3.The Block Development Officer,
Block Development Officer,
Thiruppuvanam 630 611

4.The Secretary,
Thiruppachethi Pujayathu,
Thiruppuvanam Taluk,
Sivagangai District 630 610.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus to direct the respondents to restore Vaigai Drinking Water Pipe lines with Tapes in entire Annanagar Village, Thiruppachethi Punjayathu, Thiruppuvanam Taluk, Sivagangai Disrict based on a representation of the petitioner on 01.04.2022, within a stipulated time that may be fixed by this Court.

For Petitioner :Mr.R.Senthilkumar

For Respondents :Mr.D.Sadiq Raja (for R1 & R2)
Additional Government Pleader
Mr.R.Ragavendran (for R3)
Government Advocate

ORDER

The petitioner has filed this writ petition seeking for issuance of a Writ of Mandamus directing the respondents to restore Vaigai Drinking Water Pipe lines with Tapes in entire Annanagar Village, Thiruppachethi Punjayathu, Thiruppuvanam Taluk, Sivagangai District, based on her representation, dated 01.04.2022, within a stipulated time.

2.The learned counsel for the petitioner submitted that the petitioner herein belongs to Annanagar Village, Thiruppachethi Punjayathu, Thiruppuvanam Taluk, Sivagangai District. There are more than 200 people living in the said village, where Vaigai river water had been supplying via pipe line. The Government of Tamil Nadu has announced a Four Way Track through the aforesaid Village in the year 2011 and laid the same from Madurai to Rameshwaram in the year 2014-2017. At the time of laying the aforesaid Four Way Track, the respondents have taken a part the pipe lines with tapes situated in the said village. It is the duty of the respondents to restore the same in an alternative place. But, they failed to do so. In this regard, the petitioner sent a

representation to the respondents on 01.04.2022. Since no steps have been taken by the respondents, the petitioner came forward before this Court by filing this petition to restore the buried drinking water pipe line with tapes in an alternative place.

3.The learned Government Advocate appearing for the third respondent, on instructions, submitted that field inspection has been conducted by the Deputy Block Development Officer and he has also filed a status report, which reads as follows:

“

4.On perusal of records and field inspection report submitted by the Deputy Block Development Officer, it is submitted that on Special Scheme through TWAD Board Water from Vaigai River were supplied to the Panchayat Water Tank having capacity of 10,000 liters which was supplied to individual houses through pipe line by the Village Panchayat. On extension of four way track by the National Highways entire pipelines already laid by the Panchayat were dislocated and the same become unusable. At the said relevant point of time, Panchayat have suitably instructed the villagers to make application for change of pipe lines. Accordingly, for all the persons, who made application on an alternative mode pipe lines were given by the village Panchayat. During few persons including the writ petitioner failed to avail the same.

5.I submit that because of the same writ petitioner lost water connection from the drinking water tank. On the other hand 95% of the villagers who availed the same is continue to get drinking water from the said tank without any interruption. In the said circumstances on request made by the writ petitioner village Panchayat have considered the same and erected borewell in Panchayat land in front of her house and gave connection to the writ petitioner house for time being and she

have suitably instructed when any new scheme is introduced or an alternative pipe line is extended they would give supply from the said water tank.

6.I submit that on the other hand the representation made by the writ petitioner seeking drinking water pipe line from water tank was processed and the same was included in Jal Jeevan Scheme and the same was forwarded to the District Administrative and the same is now under process. I submit that since the said scheme is implemented by the District Administration step by dividing Panchayat into various sectors. Accordingly the request of the writ petitioner would be processed and drinking water connection pipe line would be given within period of three months. ”

4.Recording the statement made by the learned Government Advocate appearing for the third respondent that the request of the writ petitioner would be processed and drinking water connection pipe line would be given within period of three months, this Writ Petition is disposed of.

5.However, it is made clear that when the Jal Jeevan scheme is implemented, the petitioner's claim shall be considered and water connection shall be provided thereof as expeditiously as possible. No costs.

12.10.2022

Index : Yes/No

Internet:Yes/No

Rmk

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